

549.

(New) A nucleic acid sequence selected from the group consisting of:

- a²* *C*
- (a) the coding region of a *flt3-L* gene;
- (b) nucleic acid sequence that encodes a polypeptide having the amino acid sequence selected from the group consisting of amino acids 28 to Xaa of SEQ ID NO:2 and amino acids 28 to Yaa of SEQ ID NO:6, wherein Xaa is an amino acid from 163 to 231, and Yaa is an amino acid from 160 to 235;
- C*
- (c) *a* nucleic acid sequence that hybridizes under moderately stringent conditions to the nucleic acids of (a) or (b), and which nucleic acid sequence encodes a polypeptide that *is capable of binding* to *flt3* and which is at least 80% identical to a polypeptide encoded by the nucleic acid sequence of (a) or (b); *and*
- C*
- (d) *a* nucleic acid sequence that, due to the degeneracy of the genetic code, encodes *flt3-L* polypeptides having the amino acid sequence of the polypeptides encoded by the nucleic acid sequence of (a), (b) or (c).

REMARKS

Reconsideration of the above-captioned application is respectfully requested in view of the above amendments and the remarks set forth below. A Petition for a Three Month Extension of Time is filed herewith, thereby extending the period for response to October 25, 1995. Claims 1-49 are pending, claims 1-7 and 28-48 are withdrawn as being directed to a non-elected invention. The claims subject to this examination are claims 8-27 and 49.

Applicants have added a new independent claim 49 to the application. Applicants previously paid for seven independent claims, and now authorize the Commissioner to charge the required fee of \$78 for an additional independent claim, or any fee required for the filing of the enclosed document, even if different from that calculated, or credit any overpayment to Deposit Account No. 09-0089. Two copies of this document are enclosed for that purpose.

Applicants have amended claim 12 to more particularly point out and distinctly define applicants' invention. In claim 12(a), the phrase "cDNA derived from" is deleted as it is believed redundant with the remaining language "the coding region..." In addition, part (b) is amended to recite the cDNAs encoding the *flt3-L* ranging in length from the soluble or truncated versions to the full-length versions of *flt3-L*. Support for this amendment can be found in the specification in SEQ ID NOs:1 and 2 and SEQ ID NOs:5 and 6, as well as at page 7, lines 11-24 and page 12, lines 1-19. Part (c) is amended to recite that the DNA sequence that hybridizes under the specified conditions must also encode a polypeptide that has defined characteristics. Such polypeptide must bind *flt3* and be at least 80% identical to a *flt3-L* ranging in length from the soluble polypeptide to a full-length *flt3-L* polypeptide. Support for this amendment is found at page 8, line 3, and in SEQ ID NO:1 and SEQ ID NO:6. Applicants have added a new claim, 49, directed to nucleic acids. Support for the new claim can be found